THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.20740 of 2006

Dated: 29th September, 2006

Between :-

Mattapalli Parimala .. Petitioner

And

The Municipal Corporation of Rajahmundry
Rep. by its Municipal Commissioner
Rajahmundry, East Godavari ..
Respondent

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.20740 of 2006

ORDER:-

Heard the Counsel.

2. Mr.Sanku, the learned Counsel representing the petitioner states that unless and until the respondent follows due process of law, the respondent cannot interfere with the work of the petitioner and the respondent cannot take up any demolition activity.

3. Mr.Vishnu Vardhan Reddy, the learned standing Counsel representing respondent states that the respondent is bound to follow due process of law before initiating any such action.

4. The Writ Petition is filed for a Writ of Mandamus declaring that the respondent officials in preventing the petitioner from carrying out the repairs to her building bearing H.No.10-1-11 (old No.7/193), Ward No.7 (Old Ward No.3), Rangreezupeta, Kandakam Road, Pushkarghat, Rajahmundry, East Godavari District and their further threat to demolish the said building, without assigning any reasons or issuing any notice, as illegal, arbitrary and it is further consequently prayed that this Hon'ble Court may be pleased to direct the respondent Corporation not to prevent the petitioner from carrying out

repairs to the said building and to pass such other suitable orders.

5. Several factual details had been narrated in the affidavit filed in support of the Writ Petition. It is needles to say that the respondent is bound to follow the provisions of Hyderabad Municipal Corporation Act before taking any action. In view of the same, the Writ Petition is disposed of directing the respondent not to interfere with the activity of the petitioner in relation to the repairs or otherwise or not to proceed with any demolition activity unless and until the respondent follows due process of law.

6. With the above direction, the Writ Petition is disposed of. No order as to costs.

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Justice P.S.Narayana

29th September, 2006

Note: Order copy by wire at party's costs

(B/o.SMR)